

The Week In Washington

The threat of the Federal Government getting into the broadcasting business was revived this week when Senator Chavez (D-N.M.) reintroduced his Pan-American radio station bill. It is a revised version of the one he and former Senator McAdoo introduced jointly during the last session of Congress.

The principal changes provide that the letters "PAZ" (Spanish for "peace") be included in the call letters and that the station be built near Washington, D. C., instead of San Diego, California. The NAB will oppose the Chavez bill as it has opposed all similar bills. Even though they are "designed to promote friendly relations among the nations of the Western Hemisphere," the NAB feels that enactment of any one would constitute a long step toward Government ownership of the industry.

Reports that the International Copyright Convention would come before the Senate next week were heard in capital circles this week. The NAB pointed out to all members in a special letter last week why this Treaty should be rejected.

A favorable report on the Johnson bill to ban beer and liquor advertising on the air, ordered last week by the Senate Interstate Commerce Committee, is being drafted and probably will be presented to the Senate within a few days. It is understood that a minority report also is being written. The NAB pointed out in last week's REPORTS that enactment of this bill would cost the broadcasting industry upwards of \$1,250,000 a year in revenue.

In this connection, W. S. Alexander, Federal Alcoholic Administrator, told the National Alcoholic Beverage Control Association this week that "there is nothing at the moment that is making so much foul weather for the liquor industry as the continued intrusion in the homes of the country of alluring radio appeals to pep up with this brew and go to town with that". Alexander has endorsed the Johnson bill.

Vermont has enacted a new copyright license law providing that licenses covering performing rights shall be filed with the Secretary of State and placing a 5 per cent gross receipts tax on copyright pools.

The FCC will reopen the record in the Monopoly Investigation on May 11 for Commission cross-examination of David Sarnoff, President of RCA, and George Engels, Vice President of NBC.

Neville Miller, *President* Edwin M. Spence, *Secretary-Treasurer*

Andrew Bennett, *Counsel*; Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*

FREE OFFERS

Remember the recent Webster's Dictionary free offer? It was a "word game" script, with numerous plugs for Websters.

Well, following the NAB's advice, a New England station manager tackled the publisher for an account.

He was told that 200 stations were using the script free!

The NAB sincerely hopes that none of its members are on this sucker list.

Certainly the industry is losing a lot of good money when it lets prospective advertisers find out that they can chisel time on 200 stations by just hiring a clever script writer.

Use of scripts sent out by the Washable Textiles Bureau and Harcourt, Brace and Company would constitute violation of the NAB Code of Ethics. The NAB has suggested to both that they undertake a regular radio advertising campaign.

The Associated Long Island Newspapers Rooming Bureau, Inc., has suggested that stations carry *free* what amounts to advertising for rooming houses in the neighborhood of the World's Fair. Acceptance of this proposal would constitute violation of the NAB Code.

The American Civil Liberties Union is sending out a weekly "news script" which includes comment and editorial matter about news involving civil liberties. Unless the station attempts to present the other side of the picture, it might be accused of bias.

The same holds true of a transcription offered by the American League for Peace and Democracy, dealing with President Roosevelt's foreign policy. Of course this is a subject of great public interest just now, and might well be given time, provided it is fairly presented.

Legal

VERMONT ENACTS COPYRIGHT MONOPOLY LAW

The legislature of Vermont has enacted and the Governor has approved a new law pertaining to copyright

monopolies. The statute provides that a copy of each license agreement covering performing rights for use in the state shall be filed with the secretary of state and shall be open to inspection by any person. The statute further provides for a privilege tax of five per cent of gross receipts derived by the copyright owner from the sale or licensing of performing rights.

ADVERTISING OF IMPORTED PRODUCTS

A bill, H. R. 5985, has been introduced in Congress by Mr. Flannery, of Pennsylvania, which provides that all advertisements of imported articles must clearly show the country of origin. It provides that when the advertisement is by radio broadcasting a statement showing the foreign country of origin shall be made both at the beginning and at the close of the broadcast. Failure to make such announcement would constitute an unfair and deceptive practice within the meaning of Section 5 of the Federal Trade Commission Act. The Act would apply to all imported articles or to any articles assembled in the United States where the major portion of the materials used, either by volume, weight or value, have been imported from a foreign country.

NEW LEGISLATION

CONGRESS

H. R. 5985 (Mr. Flannery, Penna.) ADVERTISING—To require announcement of place of origin of all imported articles or articles assembled in the United States from imported products, ingredients, parts or materials. Referred to Interstate and Foreign Commerce Committee.

STATE LEGISLATION

FLORIDA:

H. 611 (Hotels and Innkeepers) PERSONAL SOLICITING—Prohibiting walking or standing in public streets or highways to distribute advertising to occupants of motor vehicles or to make solicitations for same. Referred to Calendar Committee.

H. 625 (Com. on Hotels and Innkeepers) HOTELS—FALSE STATEMENTS—Providing for the punishment of any person making false statement concerning any hotel, apartment hotel or boarding house. Referred to Calendar Committee.

MICHIGAN:

S. 460 (Baldwin) PURE FOOD AND DRUGS—To prohibit the adulteration, misbranding and false advertising of foods, drugs, devices and cosmetics. Referred to State Affairs Committee.

TEXAS:

H. 986 (Petsch) POLITICAL LIBEL—To define as libel any false statement written, printed or published with intent to injure the reputation of any public official. Referred to Criminal Jurisprudence Committee.

CHAVEZ BILL

Here is the text of the Chavez bill to put the federal government into the broadcasting business:

A BILL

To authorize the construction and operation of a radio-broadcasting station designed to promote friendly relations among the nations of the Western Hemisphere.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the

Secretary of the Navy is authorized and directed to construct, maintain, and operate an adequately equipped radio-broadcasting station, which shall have such power as may be necessary to transmit programs upon high frequencies to all the nations of the Western Hemisphere. Such station shall be known as the "United States Pan American Radio Station" and shall be located in the vicinity of Washington, District of Columbia, at a location to be selected by the Secretary of the Navy. The frequencies and call letter of such station shall be assigned to it by the Federal Communications Commission. The call letters of such station shall include "P-A-Z," arranged in that order for the purpose of signifying "peace" in the Spanish and Portuguese languages, and shall contain such other letters or figures as the Commission may prescribe with a view to the observance of the treaty obligations of the United States.

Sec. 2. The programs broadcast by such station shall be selected by the Secretary of State and shall be of such a nature as to promote friendly relations among the United States and the other nations of the Western Hemisphere. Such programs shall be particularly designed to strengthen the cultural, political, and commercial ties among the United States and such other nations of the Western Hemisphere.

Sec. 3. There is hereby created an advisory council to be known as the "Pan American Radio Station Advisory Council" (hereinafter referred to as the "council") and to be composed of the Secretary of State, the Secretary of the Interior, the Secretary of Commerce, and the Chairman of the Federal Communications Commission, or such representatives of those officials as they may designate and two other officers of the United States to be selected by the President. The Council shall, subject to the exclusive power of the Secretary of State to select the programs broadcast by the Pan American Radio Station, determine all questions of general policy with respect to the operation of such station. The members of the Council shall not receive any additional compensation for the performance of their duties as members of the council.

Sec. 4. The Secretary of State may, under such terms and conditions as he may prescribe and with the approval of the Council, permit any privately owned commercial company to use the facilities of such station for the broadcast, without profit to any such company, of programs approved by said Secretary.

Sec. 5. There are hereby authorized to be appropriated (1) the sum of \$3,000,000, for the purpose of acquiring the lands, constructing the buildings, purchasing the equipment, and doing all other acts necessary to construct and place in operation the radio station provided for by this Act; (2) for each fiscal year, beginning with the fiscal year ending June 30, 1940, the sum of \$100,000, or so much thereof as may be necessary, for the purpose of maintaining and operating such station; and (3) for each fiscal year, beginning with the fiscal year ending June 30, 1940, such sums as may be necessary to enable the Secretary of State to provide programs to be broadcast from such station.

CLIFFORD CHAFEY ELECTED

Clifford Chafey, WEEU, Reading, Pa., was elected district director at a District 3 meeting in Philadelphia on April 24, to succeed Clair R. McCollough, WGAL, Lancaster.

Neville Miller led a discussion of copyright that occupied most of the afternoon session. Paul Peter, NAB Research Director, Edwin M. Spence, Secretary-Treasurer, and Joseph L. Miller, Labor Relations Director, discussed other NAB problems.

At an evening meeting, Mr. McCollough was elected president of the Pennsylvania Broadcasters Association.

Those at the district meeting included:

Roy Thompson, WFBG, Altoona; J. C. Tully, WJAC, Johnstown; A. W. Dannenbaum, Jr., and Patrick Stanton, WDAS, Philadelphia; Isaac D. Levy, Leon Levy and Alan Scott, WCAU, Philadelphia; Samuel Rosenbaum and Roger Clipp, WFIL, Philadelphia; Norman Reed and William Appelby, WPG, Atlantic City, N. J.; A. K. Redmond and R. S. Duncan, WHP, Harrisburg; Benedict Gimbel, Jr., and Edward A. Davies, WIP, Philadelphia; George Joy and W. V. Person, WRAK, Williamsport; W. P.

INDEX

	Page
The Week In Washington.....	3445
Free Offers.....	3446
Vermont Copyright Law.....	3446
Advertising Imports.....	3446
New Legislation.....	3446
Chavez Bill.....	3446
Chafey Elected.....	3447
Nazi Decree.....	3447
Connery Demands Probe.....	3447
Pat Alan.....	3447
Radio Reporters Get Gallery.....	3447
FCC Television Committee.....	3448
More Monopoly Hearings.....	3448
Black River Valley Suit.....	3448
Edgar Bill Broadcasts.....	3448

Ogelsby, Jr., and Milton Laughlin, WHAT, Philadelphia; Clair R. McCollough, District Director; J. E. Mathiot, Walter O. Miller and J. Richard Bauman, WGAL, Lancaster; Joseph M. Nassau and John Morgan Davis, WIBG, Glenside; B. Bryan Musselman, WCB, Allentown; C. G. Moss, WKBO, Harrisburg; H. J. Brennan, H. K. Brennan, John J. Laux, KQV, Pittsburgh; Leslie Joy, KYW, Philadelphia, representing S. D. Gregory, KDKA, Pittsburgh; Leonard Kapner, WCAE, Pittsburgh; Clifford Chafey, WEEU, Reading; George W. Beck, Basse A. Beck, Melvin Lahr, WKOK, Sunbury; George D. Coleman, R. E. McDowell, WGBI, Scranton; Douglas Hibbs and Harry N. Cocker, WTEL, Philadelphia.

NAZI DECREE

The German Nazi government has decreed it a crime to repeat information broadcast from any foreign station if that information is unfavorable to the government or the Nazi party.

CONNERY DEMANDS PROBE

Representative Connery (D-Mass.) renewed his demand in the House this week for an investigation of both the FCC and the broadcasting industry. He made a 20-minute speech, dealing for the most part with network contracts.

PAT ALAN

W. W. Behrman, manager of WBOW, Terre Haute, Ind., asked anyone knowing the whereabouts of Pat Alan or Robert L. Fahrenstock to wire him collect.

RADIO REPORTERS GET GALLERY IN HOUSE OF REPRESENTATIVES

News reporters for broadcasting stations and news agencies serving broadcasting stations now have a special gallery in the House of Representatives, and are expected to get a special gallery soon in the Senate.

This arrangement is a compromise between broadcasting newsmen and newspaper reporters. The former sought admission to the regular press gallery, but the newspapermen objected on the ground that their gallery was overcrowded.

The NAB backed Fulton Lewis, Jr., MBS reporter, who led the fight for admission.

FCC TELEVISION COMMITTEE

A number of Television companies with which the Television Committee of the Federal Communications Commission did not confer when it went on a trip a short time ago, will come to Washington next week to confer with the Committee.

On May 2, the Majestic Radio and Television Corporation of Chicago will confer with the Committee, and on the same day representatives of the Zenith Radio Corporation of Chicago will also hold a conference.

On May 3, the Wald Radio and Television Laboratories of New York will confer with the Committee, and on the same date Crosley Corporation representatives of Cincinnati will hold a conference.

On May 9, the Don Lee Broadcasting Corporation of Los Angeles will confer with the Committee.

Following these conferences and the trip which was made recently, the Television Committee feels that it will have discussed the Television situation with all of the corporations now working on this subject.

MORE MONOPOLY HEARINGS

Further hearings will be held at the Federal Communications Commission beginning May 11 in connection with the monopoly investigation. David Sarnoff, president of the Radio Corporation of America, and George Engles, vice-president of the National Broadcasting Company, are being recalled to the stand by the Commission for cross-examination.

The Commission has referred to its Legal Division the motion of Louis G. Caldwell, counsel for Mutual, that the Commission ban renewal of network contracts beyond December 31, 1940.

There is a possibility that later some additional engineering testimony will be heard in connection with the monopoly investigation case.

BLACK RIVER VALLEY SUIT

The petition of the Black River Valley Broadcasting, Inc., for a review of a decision of the District of Columbia Court of Appeals dismissing its suit for injunction against the FCC was denied this week by the United States Supreme Court. The Broadcasting Company which was granted a permit to construct a station at Watertown, N. Y., assailed action of the Commission in ordering a new hearing in the case.

BILL ON "PEOPLE'S PLATFORM"

Edgar L. Bill, Director of WMBD, Peoria, Illinois, appeared on "The People's Platform" broadcast over the Columbia Broadcasting System last Sunday evening, 7 to 7:30 p. m. On the panel discussion with Mr. Bill were Lyman Grayson, Chairman of the CBS Adult Education Board; Dr. John W. Studebaker, Commissioner of

the United States Office of Education; Senator Burton K. Wheeler, Montana; and Gertrude H. Bowling of the Visiting Nurses Association. The discussion by Senator Wheeler and Mr. Bill pertained principally to educational programs and freedom of radio from censorship.

FEDERAL COMMUNICATIONS COMMISSION

DECISION OF COMMISSION

The Federal Communications Commission this week issued a decision granting Station KTOK, **Oklahoma City, Oklahoma**, permission to change its equipment and to operate unlimited hours on **1370 kilocycles**, 250 watts day, 100 watts night. At present, the station operates on the same frequency, unlimited hours, 100 watts power.

In its Findings of Fact in connection with the decision, the Commission found that the interests of other existing stations would not be adversely affected as a result of this decision. The Commission also found that the applicant is in all ways qualified to complete the changes and to operate the station as proposed.

Commissioner Thompson did not participate in this decision.

FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following hearings are scheduled before the Commission in broadcast cases beginning the week of May 1. They are subject to change.

Monday, May 1

WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Renewal of license, **670 kc.**, 50 KW, unlimited time.

Tuesday, May 2

Further Hearing

NEW—Suffolk Broadcasting Corp., Suffolk, Va.—C. P., **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

Friday, May 5

NEW—Thumb Broadcasting Co., Brown City, Mich.—C. P., **880 kc.**, 1 KW, daytime.

FUTURE HEARINGS

During the week the Commission has announced the following tentative dates for broadcast hearings and oral arguments. They are subject to change.

May 11

Oral Argument Before the Commission

Examiner's Report No. I-763:

NEW—Sentinel Broadcasting Corp., Salina, N. Y.—C. P., **620 kc.**, 1 KW, unlimited time (DA night).

NEW—Civic Broadcasting Corp., Syracuse, N. Y.—C. P., 1500 ke., 100 watts, unlimited time.

WHJB—Pittsburgh Radio Supply House, Greensburg, Pa.—C. P., 620 ke., 1 KW, unlimited time (DA night). Present assignment: 620 ke., 250 watts, daytime.

Examiner's Report No. I-727:

WJBL—Charles R. Cook (Transferor), Decatur Newspapers, Inc. (Transferee), Decatur, Ill.—Transfer of control of corporation; 1200 ke., 100 watts, shares WJBC.

June 1

NEW—C. T. Sherer Co., Inc., Worcester, Mass.—C. P., 1200 ke., 100 watts, 250 watts LS, unlimited time.

NEW—WJMS, Inc., Ashland, Wis.—C. P., 1370 ke., 100 watts, unlimited time.

NEW—North Shore Broadcasting Co., Salem, Mass.—C. P., 1200 ke., 100 watts, unlimited time.

June 2

WCOU—Twin City Broadcasting Co., Inc., Lewiston, Maine.—C. P., 1210 ke., 100 watts, 250 watts LS, unlimited time. Present assignment: 1210 ke., 100 watts, unlimited time.

June 5

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—C. P., 950 ke., 1 KW, unlimited time. Present assignment: 1120 ke., 100 watts, daytime.

June 7

WICA—WICA, Inc., Ashtabula, Ohio.—C. P., 940 ke., 1 KW, daytime. Present assignment: 940 ke., 250 watts, daytime.

FEDERAL COMMUNICATIONS COMMISSION ACTION

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KXYZ, Houston, Tex.; WBBC and auxiliary, Brooklyn, N. Y.; WEVD and auxiliary, New York City; WFEA, Manchester, N. H.; WBNS and auxiliary, Columbus, Ohio; KFJM, Grand Forks, N. Dak.; KGER, Long Beach, Calif.; KOH, Reno, Nev.; KOMA, Oklahoma City, Okla.; WFBC, Greenville, S. C.; WMBD, Peoria, Ill.; WSPD, Toledo, Ohio; KCRC, Enid, Okla.; KGA, Spokane, Wash.; KGR, Butte, Mont.; KGNO, Dodge City, Kans.; KRNT, Des Moines, Iowa; KTBS (auxiliary), Shreveport, La.; KTUL, Tulsa, Okla.; WADC, Village of Tallmadge, Ohio; WALA, Mobile, Ala.; WCBA, Allentown, Pa.; WCOA, Pensacola, Fla.; WCSC, Charleston, S. C.; WDRG, Hartford, Conn.; WGAR and auxiliary, Cleveland, Ohio; WHEC, Rochester, N. Y.; WHDL, Olean, N. Y.; WLAC, Nashville, Tenn.; WMBG, Richmond, Va.; WMBG (auxiliary); WQBC, Vicksburg, Miss.; WSAN, Allentown, Pa.; WSFA, Montgomery, Ala.; WVF, Brooklyn, N. Y.; WGES, Chicago; WHP, Harrisburg, Pa.

Licenses for the following stations were extended upon a temporary basis only, for the period ending June 1, pending determination upon the applications for renewal of licenses:

KID, Idaho Falls, Idaho; WAAB and auxiliary, Boston, Mass.; WBCM, Bay City, Mich.; WHIP, Hammond, Ind.; WQDM, St. Albans, Vt.; WTAQ, Green Bay, Wis.; KGBU, Ketchikan, Alaska; WHOM, Jersey City, N. J.

WBNX—WBNX Broadcasting Co., Inc., New York City.—Granted renewal of license on a temporary basis only, subject to whatever action may be taken by the Commission upon the application of WBNX for renewal of license pending before it.

W2XDV—Columbia Broadcasting System, Inc., New York City.—Granted renewal of high frequency broadcast (exp.) station license for the period ending April 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.

W1XKA—Westinghouse E. and M. Co., near Boston, Mass.; W1XKB—E. Springfield, Mass.; W8XKA—Pittsburgh, Pa.—Granted renewal of high frequency broadcast (exp.) station license for the period ending April 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.

W8XO—The Crosley Corp., Mason, Ohio.—Granted renewal of experimental broadcast station license for the period May 1, 1939, to May 1, 1940.

WAXG—Florida Capitol Broadcasters, Inc., Portable-Mobile.—Present relay broadcast station license further extended upon a temporary basis only for the period ending June 1, 1939, pending determination upon application for renewal of license.

The following licenses for high frequency broadcast (exp.) stations were extended upon a temporary basis only for the period ending June 1, 1939, pending determination upon applications for renewal of licenses:

W9XUY, Omaha, Nebr.; W9XHW, Minneapolis; W8XNU, Cincinnati, Ohio; W9XA, Kansas City, Mo.; W8XQJ, Detroit; W9XLA, Denver; W2XQO, Flushing, N. Y.; W4XCA, Memphis, Tenn.; W9XUP, St. Paul; W2XDG, Bound Brook, N. J.; W2XGH, New York City; W9XH, South Bend, Ind.; W4XBW, Chattanooga, Tenn.; W5XAU, Oklahoma City, Okla.; W1XER, Sargents Purchase, N. H.

DESIGNATED FOR HEARING

The following applications have been designated for hearing by the Commission. Dates for hearing have not yet been set.

NEW—Clarence H. Fray and Robert O. Greever, Logan, W. Va.—Application for C. P. for new station to operate on 1200 ke., with 100 watts, daytime only.

W9XAK—Kansas State College of Agriculture and Applied Science, Manhattan, Kans.—Application for C. P. requesting change in existing television equipment, reducing power from 125 to 100 watts and change in frequency assignment from 2000-2100 ke. to 42000-56000 ke. (The application was designated for hearing because applicant failed to submit a satisfactory program of research and experimentation as contemplated by the Commission's rules and regulations.)

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Application for modification of license to increase power from 100 watts night, 250 watts day, to 250 watts both day and night. (To be heard before the Commission.) Application designated for hearing because the request violated Rule 121.

KWOS—Tribune Printing Company, Jefferson City, Mo.—Application for modification of license to increase night power from 100 to 250 watts. (To be heard before the Commission.) Application designated for hearing because request violates Rule 121.

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Application for renewal of license; 60-day temporary license granted pending hearing. Application designated for hearing in view of provisions of Sec. 310(a) (5) of the Act, regarding alien connections of officers or directors.

KHBC—Honolulu Broadcasting Co., Ltd., Hilo, T. H.—Application for renewal of license; 60-day temporary license granted pending hearing. Application designated for hearing in view of provisions of Sec. 310(a) (5) of the Act, regarding alien connections of officers or directors.

KUMA—Albert H. Schermann, Yuma, Ariz.—The issues raised in the Order of Revocation of license for station KUMA entered by the Commission February 20, 1939, effective April 1, 1939, to be heard before Commissioner Case on May 22.

MISCELLANEOUS

WMRO—Martin R. O'Brien, Aurora, Ill.—Granted special temporary authority to commence operation at 6 a. m., Daylight Saving Time instead of 6 a. m., CST, for the period April 28 to September 24, in order to maintain same sign-on time after time changes of April 28 go into effect.

WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Granted special temporary authority to test the effectiveness of the directional antenna during daylight hours of operation with an operating power of 1 KW, for a period not to exceed 30 days, in order that field intensity measurements may be made for furnishing proof of performance.

- WADN—The Asheville Daily News (Harold S. Thomas, Owner), Asheville, N. C.—Granted special temporary authority to operate a 100-watt portable transmitter in Asheville and vicinity during the period from 1 hour after sunrise to 1 hour before sunset, for a period not to exceed 30 days, in order to make transmitter site tests.
- KSFM—National Broadcasting Co., Inc., New York City.—Granted extension of special temporary authority to operate relay broadcast station KSFM aboard Boeing seaplane YANKEE CLIPPER on frequencies 4797.5, 6425, 8655, 12862.5 and 17310 kc., in addition to the normal licensed frequencies for the period April 28 to May 27, for transmission of special program features from newly developed Boeing seaplane during first public service flight to Europe.
- KHBB—Okmulgee Broadcasting Corp., Okmulgee, Okla.—Granted special temporary authority to operate from local sunset (May 7:15 p. m., CST), to 9:30 p. m., CST, on May 7, 14, 21 and 28, in order to broadcast Sunday Evening Church services.
- WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—Granted extension of special temporary authority to rebroadcast sustaining programs to be received from international broadcast station W2XE over station WKAQ, on a noncommercial experimental basis only, for the period April 21 to May 20.
- KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Denied extension of special temporary authority to operate unlimited time on 1180 kc., using 10 KW, employing directional antenna system after sunset at Portland, Ore. (April, 7 p. m., and May 7:30 p. m., PST), for the period April 23 to May 22.
- KEX—Oregonian Publishing Co., Portland, Ore.—Denied authority to operate unlimited time on 1180 kc., using 5 KW, for the period April 23, and ending no later than May 22.
- KGEK—Elmer G. Beehler, Sterling, Colo.—Granted special temporary authority to operate from 1:30 to 7:15 p. m., and from 8:45 to 10:30 p. m., on April 25; from 9 a. m. to 11:30 a. m., and from 1:30 to 10:30 p. m., April 26; from 9 to 11:30 a. m. and from 1:30 to 10:30 p. m., April 27; from 9 to 11:30 p. m., from 1:30 to 7:15 p. m., and from 8:45 to 10:30 p. m., April 28; from 8 to 11:30 a. m., and from 1:30 to 3 p. m., MST, April 29, in order to broadcast State Music Week Contest and Vocal Festival.
- WSAL—Franm M. Stearns, Salisbury, Md.—Denied special temporary authority to operate with power of 100 watts, from 7:15 to end of game on May 4, 5, 7, 8, 10, 11, 13, 14, 17, 19, 22, 24, 25, 27, 28, 30, or in event it is necessary to cancel any of these dates to extend such postponed dates as may be fixed, in order to broadcast baseball games.
- NEW—Wendell Mayes, Joe N. Weatherby & Wm. J. Lawson, d/b as Brown County Broadcasting Co., Brownwood, Tex.—Granted motion for order to take depositions in re application for C. P. to operate on 990 kc., 1 KW, daytime.
- Samuel M. Emison, Vincennes, Ind.—Denied motions of Intervenor for orders to take depositions in re application of the Vincennes Newspapers, Inc., for a new station in Vincennes, Ind., to operate on 1420 kc., 100 watts unlimited. Exception to the ruling noted by counsel for petitioner.
- NEW—John R. Pepper, Greenville, Miss.—Granted petition to take depositions and motion for waiver of 25-day filing requirement in re application for C. P. to operate on 1310 kc., 100 watts, 250 watts LS, unlimited.
- WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Granted petition for order to take depositions in Lawrence, Kans., in re application for C. P. to move transmitter and studio and install DA for day and night use.
- WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Granted petition for order to take depositions in Kansas City, Mo., in re application for C. P. to move transmitter and studio and install DA for day and night use.
- KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Granted petition to amend C. P. for change in equipment in re application for local move of transmitter and studio and install new antenna.
- KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—Denied petition to dismiss without prejudice, application for C. P. to change frequency from 1450 to 620 kc., and increase power from 1 KW, unlimited time to 1 KW, 5 KW LS, unlimited time, using DA at night.
- WCOU—Twin City Broadcasting Co., Inc., Lewiston, Maine.—Granted petition to continue hearing for period of 30 days from May 2, on application for C. P. to change power from 100 watts, unlimited, to 100 watts night, 250 watts day, unlimited.
- KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Granted petition to accept late appearance in re application for C. P. to install new antenna and move transmitter and studio locally. Also granted petition to continue hearing now scheduled for April 24, for a period of 60 days, date to be fixed by Docket Section.
- KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Granted petition to continue hearing now scheduled for April 24, for a period of 60 days, date to be fixed by Docket Section, on application for renewal of license.
- NEW—Pawtucket Broadcasting Co., Pawtucket, R. I.—Granted petition to accept respondent's appearance filed late, in re application of WQDM, St. Albans, Vt., for modification of license to increase hours of operation from daytime only to local sunset at WHK on 1390 kc., 1 KW.
- NEW—M. L. Medley, Cookeville, Tenn.—Granted petition to take depositions in re application for C. P. for a new station to operate on 1370 kc., 100 watts, 250 watts LS, unlimited time.
- WICA—WICA, Inc., Ashtabula, Ohio.—Granted petition to continue hearing on application for C. P. to increase power from 250 watts to 1 KW, for a period of 30 days from May 8, date to be fixed by Docket Section.
- WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Granted special temporary authority to operate from 5 to 6 a. m., CST, for the period April 30 to September 1, in order to conform with the adoption of Daylight Saving Time in Chicago.
- WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—Granted special temporary authority to rebroadcast sustaining programs to be received from international broadcast station W3XAU over station WKAQ, on a non-commercial experimental basis only, for a period not to exceed 30 days.
- WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 2 to 3 p. m., EST, on May 6, 13, 20, 27 and June 3, in order to broadcast newscasts, musical programs and other features of public interest; from 8:30 to 10 a. m., and 2 to 3 p. m., EST, on May 7, 14, 21, 28 and June 4, in order to broadcast religious services, newscasts and musical programs; unlimited time on May 30, in order to broadcast Memorial Day programs (provided WSVS remains silent).
- CKLW—Essex Broadcasting Inc., Detroit, Mich.—Granted special temporary authority to transmit program consisting of religious service known as Novena in honor of the Little Flower to radio station CKLW from Shrine of Little Flower, Royal Oak, Mich., for a period not to exceed 10 days from May 1.
- KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Rescinded action taken April 20 in denying extension of special temporary authority to operate unlimited time on 1180 kc., employing DA system after sunset at Portland, Ore., and granted same for a period of 30 days.
- KEX—Oregonian Publishing Co., Portland, Ore.—Rescinded action taken April 20 in denying extension of special temporary authority to operate unlimited time on 1180 kc., using 5 KW, for a period of 30 days.
- WRKL—P. W. Spencer, Rock Hill, So. Carolina.—The Commission closed the records and deleted the call signal WRKL, in re the application for C. P. for a new station to operate on 1500 kc., 100 watts, daytime, which was granted by the Commission under date of December 5, 1938, subject to specifying the exact transmitter location and antenna system, because applicant has requested relinquishment of the authority.
- WQDM—Regan & Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from 5 to 6 a. m., EST, for the period April 30 to September 24, in order to conform with the adoption of Daylight Saving Time in St. Albans.
- WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—Granted special temporary authority to operate on Daylight Saving Time for the period April 30 to June 1, 1939, instead of Central Standard Time as specified in license.
- National Broadcasting Co., Inc., New York City.—Granted special temporary authority to broadcast on National Broadcasting Co. network of stations program material received from Relay Broadcast Station WOEG operated by General Electric Co., aboard new streamline train of Union Pacific enroute Los Angeles to New York World's Fair, for the period April 26 to May 10; NBC to pick up programs from moving train via special temporary receiving stations and feed program over wireline connections to most convenient stations affiliated with network.

- W1XPW**—WDRG, Inc., Hartford, Conn.—Granted extension of special temporary authority to test the high frequency broadcast equipment of station W1XPW authorized by modification of C. P., on frequency of **43.4 megacycles**, with power of 1 KW, for the period April 24 to May 23, pending definite arrangements to be made in the ultra high frequency bands.
- WMC**—Memphis Commercial Appeal Co., Memphis, Tenn.—Granted extension of special temporary authority to operate with 5 KW at night, for the period May 5 to June 3, in order to overcome interference from Cuban station CMQ, provided such operation with additional power terminates immediately when CMQ ceases operation on frequency **780 kc.** or reduces power so that additional interference is not involved.
- WMPG**—The First Methodist Protestant Church of Lapeer, Lapeer, Mich.—Granted extension of special temporary authority to operate from 9 to 10 a. m., EST, Monday, Tuesday, Wednesday, Thursday, Friday and Sunday mornings, for the period May 6 to May 31, in order to broadcast certain educational programs.
- WJBY**—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Granted special temporary authority to rebroadcast Naval Observatory time signals from NAA at Washington, D. C., over station WJBY, for the period 3 a. m., June 1, to 3 a. m., December 1, EST.
- KTKC**—Tulare-Kings Counties Radio, Chas. A. Whitmore, Pres., Visalia, Calif.—Granted special temporary authority to operate from 9 to 9:15 p. m., PST, in order to broadcast transcribed music, and from 9:15 to 9:45 p. m., PST, on May 6, in order to broadcast The Banks of America program.
- WXYZ**—King-Trendle Broadcasting Corp., Detroit, Mich.—Granted special temporary authority to conduct site survey tests in the vicinity of Detroit on frequency **1280 kc.**, power of 100 watts, during daytime, for a period beginning 1 hour after local sunrise and ending 1 hour prior to local sunset, not to exceed 30 days.
- KEHE**—Hearst Radio, Inc., Los Angeles, Calif.—Granted special temporary authority to rebroadcast program material received from relay broadcast station WOEG, operated by General Electric Co., from 8:15 to 9:15 a. m., PST, on April 24, in order to broadcast opening of new Union Pacific Railroad Station in Los Angeles.
- KGCA**—Charles Walter Greenley, Decorah, Iowa—Granted extension of special temporary authority to remain silent for the period April 22 to May 21, 1939, pending KWLC's compliance with Rule 131.
- KOME**—Harry Schwartz, Tulsa, Okla.—Denied extension of special temporary authority to operate from 8:30 to 10:30 p. m., CST, for the period beginning April 26, in order to broadcast the Texas League baseball games, using 100 watts only.
- KGCA**—Charles Walter Greenley, Decorah, Iowa.—Denied special temporary authority to operate under license granted March 6, for a period not to exceed 30 days, pending KWLC's compliance with Rule 131.
- WLAW**—Hildreth & Rogers Co., Lawrence, Mass.—Granted C. P. to make changes in equipment.
- WREC**—Hoyt B. Wooten, tr/as WREC Broadcasting Service, Memphis, Tenn.—Granted C. P. to install auxiliary transmitter at main transmitting location, with 1 KW power employing DA system for day and nighttime operation for auxiliary purposes only.
- WILM**—Delaware Broadcasting Co., Inc., Wilmington, Del.—Granted license to cover C. P. authorizing local move of transmitter site, installation of vertical radiator, and change in time of operation from S-WAZL to simultaneous D-WAZL and continued S-WAZL nighttime.
- WRDI**—Northwestern Publishing Co., Danville, Ill., Portable-Mobile.—Granted license to cover C. P. for new relay broadcast station to relay programs where wire facilities are not available to be broadcast over applicant's broadcast station WDAN; frequencies **1622, 2058, 2150 and 2790 kc.**; 100 watts.
- WVFW**—Paramount Broadcasting Corp., Brooklyn, N. Y.—Granted modification of C. P. to install new equipment and extend commencement date to 4 days after grant, and completion date to 120 days thereafter.
- KVAN**—Vancouver Radio Corp., Vancouver, Wash.—Granted modification of C. P. approving transmitter and studio sites, changes in equipment and installation of vertical radiator.
- W1XLU**—The Travelers Broadcasting Service Corp., Hartford, Conn., Portable-Mobile.—Granted modification of relay broadcast station license to reduce authorized power without new construction from 5 watts to 0.2 watts.
- W1XT**—The Travelers Broadcasting Service Corp., Hartford, Conn., Portable-Mobile.—Granted modification of relay broadcast station license to reduce authorized power without new construction from 100 watts to 25 watts.
- WLTH**—Voice of Brooklyn, Inc., New York City.—Granted license to cover C. P. authorizing changes in antenna to replace top section which was destroyed by storm.
- KSL**—Radio Service Corp., of Utah, Salt Lake City, Utah.—Granted special temporary authority to rebroadcast program material received from relay broadcast station WOEG operated by General Electric Co. aboard new streamline train of Union Pacific from 4 p. m. to 5 p. m., MST, on April 25.
- W2XOY**—General Electric Co., Albany, N. Y.—Granted extension of special temporary authority to operate a high frequency experimental broadcast station on the frequency **42.8 megacycles** now assigned Edwin H. Armstrong in order that Armstrong and General Electric may make simultaneous frequency modulation tests using same channel, for the period April 22 to May 21.
- W3XO**—Jansky & Bailey, Washington, D. C.—Granted extension of special temporary authority to operate high frequency broadcast station on frequency of **43.2 megacycles** with the regular power of 1 KW, pending final arrangements in connection with the reallocation of the high frequency services, with respect to Commission's Order No. 19, for the period April 30 to May 29.
- W2XMN**—Edwin H. Armstrong, Near Alpine, N. J.—Granted extension of special temporary authority to operate high frequency broadcast station on frequency **42.3 megacycles**, power output 40 KW, for the period May 15 to June 13, pending definite arrangements to be made in the ultra high frequency bands.
- W2XDA**—General Electric Company, Schenectady, N. Y.—Granted special temporary authority to test the high frequency broadcast equipment of Station W2XDA on the frequency **41000, 41250, and 41500 kc.**, power output 50 watts, for a period of 30 days, for the express purpose of conducting frequency modulation experiments.
- WFBR**—The Baltimore Radio Show, Inc., Baltimore, Md.—Granted special temporary authority for daytime operation of new WFBR plant using directive antenna and daytime power as authorized by C. P. modified February 23, 1939, 5 KW, in order to collect field data essential to proof of performance report, for a period of 30 days.
- KGNE**—Great Plains Broadcast Co., North Platte, Neb.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WOEG operated by General Electric Co. located aboard the new streamline train of Union Pacific en route Los Angeles to New York World's Fair April 27 between 7 and 8 a. m.
- WOW**—Woodmen of the World Life Insurance Society, Omaha, Neb.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WOEG operated by General Electric Co. located aboard the new streamline train of Union Pacific en route Los Angeles to New York World's Fair from 12:30 to 1 p. m., and from 5:30 to 5:45 p. m., CST, on April 27.
- WTOL**—The Community Broadcasting Co., Toledo, Ohio.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WOEG operated by General Electric Co. located aboard the new streamline train of Union Pacific en route Los Angeles to New York World's Fair from 6:45 p. m., to approximately 7:30 p. m., EST, on May 1.
- KMMJ**—KMMJ, Inc., Grand Island, Neb.—Granted special temporary authority to rebroadcast program material received from Relay Broadcast Station WOEG operated by General Electric Co. aboard new streamline train of Union Pacific from 12 noon to 2 p. m., CST, on April 27.
- KTEM**—Bell Broadcasting Co., Temple, Tex.—Granted special temporary authority to operate from 8:45 to 11:30 p. m., CST, on May 15, in order to broadcast a Chamber of Commerce banquet, using 100 watts only.
- WCAD**—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 2:30 to 4:30 p. m., EST, on April 30, in order to broadcast celebration of Sesquicentennial, U. S. Constitution.

WSVS—Seneca Vocational High School, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 to 10 a. m., and from 2 to 3 p. m., EDST, instead of EST, for the period beginning April 30 (instead of from April 23 as authorized in grant of December 19) and ending in no event later than June 23, (provided WBNY remains silent).

KGEK—Elmer G. Beehler, Sterling, Colo.—Granted special temporary authority to operate from 1:30 to 2 p. m., MST, on May 1, 8, 15, 22 and 29, in order to broadcast livestock auction and merchants program from Fort Morgan, Colo.

WPRA—Puerto Rico Advertising Co., Inc., Mayaguez, Puerto Rico.—Granted special temporary authority to operate from 10 p. m., to 1 a. m., AST, on April 29, in order to broadcast May festivals at the Casino de Mayaguez; to operate from 10 p. m. to 1 a. m., on May 6, 13, 20 and 27, in order to broadcast May festivals; to operate from 9 to 11 a. m., and from 2 to 6 p. m., on May 7, 14, 21 and 28, in order to broadcast baseball games and athletic meetings at the municipal stadium; to operate from 9 to 11 a. m., and from 2 to 6 p. m., on May 30, in order to broadcast services pertaining to Memorial Day.

At the Oral Argument held on April 27 (all Commissioners present), the Commission unanimously dismissed the following application with prejudice, counsel for the applicant having filed a petition for dismissal without prejudice which was denied in the Motions Docket on April 21:

KTBS—Ex. Rep., 1-758—Tri-State Broadcasting System, Inc., Shreveport, La.—C. P. amended so as to request: move transmitter to Benton Road, Bossier, La.; install new equipment and directional antenna system for nighttime operation; change frequency from 1450 to 620 kc.; increase day power from 1 to 5 KW.

APPLICATIONS FILED AT FCC

600 Kilocycles

WREC—Hoyt B. Wooten, d/b as WREC Broadcasting Service, Memphis, Tenn.—Modification of license to increase power from 1 KW night, 5 KW day to 5 KW day and night. Amended: To change name from WREC, Incorporated, to Hoyt B. Wooten, d/b as WREC Broadcasting Service.

680 Kilocycles

WPRO—Cherry & Webb Broadcasting Co., E. Providence, R. I.—Construction permit to install new transmitter, make changes in directional antenna and use directional antenna nighttime only, increase power from 500 watts; 1 KW day, to 1 KW night, 5 KW day, change transmitter site from 680 Barrington Parkway, E. Providence, R. I., to Wampanoag Trail, E. Providence, R. I.

NEW—Lakeland Broadcasting Co., Willmar, Minn.—Construction permit for a new station to be operated on 680 kc., 250 watts power, limited time.

880 Kilocycles

WSUI—State University of Iowa, Iowa City, Iowa.—Construction permit to install new transmitter and antenna and change transmitter site from Capitol and Washington Sts., Iowa City, Iowa, to Iowa City, Iowa.

890 Kilocycles

KFNF—KFNF, Inc., Shenandoah, Iowa.—Modification of construction permit B4-P-1449, for increase in power, new equipment, directional antenna, night change in transmitter site, further requesting move of transmitter from Intersection Highway No. 3, and Ferguson Ave. Extension, near Shenandoah, Iowa, to near Manawa Lake, Iowa, and studio from 407 Sycamore St., Shenandoah, Iowa, to site to be determined Council Bluffs, Iowa. Extend commencement and completion dates and make changes in directional antenna.

KARK—Arkansas Radio and Equipment Co., Little Rock, Ark.—Modification of construction permit B3-P-2318, to increase power, install directional antenna for night use, requesting further changes in equipment.

1060 Kilocycles

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Modification of license to increase power from 500 watts to 1 KW. Amended: Re hours of operation.

1200 Kilocycles

WDSM—WDSM, Inc., Superior, Wisc.—Modification of construction permit B4-P-770, as modified, for a new station, requesting changes in type of transmitter, move of transmitter from 38th St. and Tower Ave., Superior, Wisc., to 200 Main St., Superior, Wisc., and extend commencement and completion date from 10-9-38 and 6-9-39 for 10 and 90 days. Amended: Antenna changes.

WRBL—The Columbus Broadcasting Co., Inc., Columbus, Ga.—Modification of license to increase power from 100 watts night, 250 watts day, to 250 watts day and night. Amended: To correct night power.

1290 Kilocycles

KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Construction permit to install new antenna, move transmitter from City Hall, Second and Walnut Sts., to Railroad and Walnut, Blytheville, Ark., and studio from 205 W. Main St., Blytheville, Ark., to same site as transmitter. Amended: Antenna changes and changes in transmitter.

1310 Kilocycles

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—License to cover construction permit B3-P-2189, for new transmitter and antenna, increase in power and change in transmitter site.

1350 Kilocycles

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Construction permit to change frequency from 1350 to 630 kc., changes in antenna, directional antenna for night use, and transmitter changes, requests facilities of KFRU and WGBF.

1370 Kilocycles

KMAC—W. W. McAllister and Howard W. Davis, d/b as Walmac Co., San Antonio, Tex.—Construction permit to make changes in equipment, antenna, change frequency from 1370 to 630 kc., increase power from 100 watts night, 250 watts day, to 1 KW, and change hours of operation from S-KONO to unlimited. Amended: Site to be determined, San Antonio, Texas.

NEW—Yetta G. Samford, C. S. Shealy, Thomas D. Samford, Jr., J. H. Orr, d/b as Opelika-Auburn Broadcasting Company, Opelika, Ala.—Construction permit for a new station on 1370 kc., 100 watts, 250 watts power, unlimited time.

1390 Kilocycles

NEW—Broadcasting Corporation of America, Riverside, Calif.—Construction permit for a new station on 1270 kc., 250 watts, unlimited time. Amended: To request 1390 kc., 1 KW power, equipment changes and antenna changes, give transmitter site as Redwood Drive and River, Riverside, Calif. Request facilities of KOY when KOY goes to a new frequency.

1420 Kilocycles

NEW—The Gazette Company, Cedar Rapids, Iowa.—Construction permit for a new station to be operated on 1420 kc., 100 watts, unlimited time. Amended: To specify a vertical antenna, and transmitter site at rear of Nos. 506-510 3rd Ave., SE. (Lot 9, Block 41), Cedar Rapids, Iowa, and studio at 506-510 3rd Ave., SE., Cedar Rapids, Iowa.

WLAP—American Broadcasting Corporation of Kentucky, Lexington, Ky.—Special experimental authorization to rebroadcast facsimile transmissions of radio station WLW, from 1:05 to 2:15 a. m., CST, using 250 watts power.

WEED—William Avera Wynne, Rocky Mount, N. C.—License to cover construction permit B3-P-2301, for a new transmitter.

1500 Kilocycles

KDAL—Red River Broadcasting Company, Inc., Duluth, Minn.—Construction permit to make changes in transmitting equipment and increase power from 100 watts to 100 watts; 250 watts day.

MISCELLANEOUS

NEW—Florida West Coast Broadcasting Co., Inc., Clearwater, & Tampa, Fla.—Construction permit for a new low fre-

quency relay station on 1622, 2058, 2150 and 2790 kc., 40 watts, A-3 emission.

NEW—George Harm, Fresno, Calif.—Construction permit for a new relay broadcast (Low Frequency) station on 1622, 2058, 2150 and 2790 kc., A-3 emission, unlimited time, 24 watts. Vicinity of Fresno, Calif.

NEW—Herbert L. Wilson, New York, N. Y.—Construction permit for a new experimental broadcast station on 12862.5, 17310, 23100 kc., 250 watts, unlimited time, A-3 emission. Located at 260 E. 161st Street, New York, N. Y.

FEDERAL TRADE COMMISSION ACTION

COMPLAINTS

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Darling & Co., Inc., dealer in hides, fertilizers and allied products, with headquarters in Chicago and places of business in many Eastern and Midwestern States, is the respondent in a complaint charging the corporation with acts and practices tending to hinder competition and create a monopoly.

The complaint charges that with the intent to restrain and control the supply and prices of material and for the purpose of injuring and eliminating competition, the respondent has (1) paid and is paying in localities in which it meets competition in the purchase of raw materials, prices higher than justified by trade conditions and so high as to be prohibitive to its competitors; (2) quoted, in localities in which it meets competition, prices so high as to be prohibitive to its competitors, without intending to pay such prices, but by the quoting thereof making it difficult, if not impossible, for its competitors to buy at prices lower than the prices quoted; (3) enticed, by the payment of higher wages and by other means, drivers covering routes of sources of supply of raw materials of its competitors, to leave the employ of its competitors, and to enter into the employ of the respondent for the purpose of obtaining for the respondent the supply of raw materials previously obtained by the drivers for such competitors; (4) held out certain of its subsidiary corporations as being independent from the respondent, and refrained from notifying the trade and the public that these subsidiaries are controlled and affiliated with the respondent; (5) agreed with certain of its large competitors upon divisions of territory for the purchase of raw materials; (6) for the purpose of forcing certain of its competitors to sell their businesses to respondent or to go out of business altogether, paid prices for raw materials not justified by trade conditions and so high as to be prohibitive to competitors, and (7) in connection with purchases of raw materials by certain of its competitors, disparaged the financial standing, ability and integrity of such competitors. (3766)

Kirk Medicine Company—Lou Sterling and Walter Fehr Gardner, trading as Kirk Medicine Company, Hollywood, distributors of medicinal preparations designated "Kirk's Tablets", "Kirk's Pancreatin Compound Tablets", and "Kirk's Tablets Pancreatin Compound," are charged in a complaint with misrepresentations of the effectiveness of their compounds in the treatment of ailments of the digestive system.

Among statements broadcast by radio and disseminated by respondents are "The alkaline content of Kirk's Tablets aid nature in neutralizing and eliminating the acid accumulated in the digestive system." . . . "Do you have that headachy, listless, worn out feeling, back aches, upset stomach and no appetite— * * * acid indigestion. The accumulation of bacteria in the digestive system is the answer in a great many cases, as is attested in the thousands of letters we have received from users of Kirk's Tablets, who have found almost instant relief from their use."

The complaint charges that the tablets contain no alkalinizing substance, would not be a cure or remedy for the ailments named, and that representations that thousands of users have attested to the beneficial results secured from the use of the tablets is untrue. It is alleged that the representations of the respondent are gross exaggerations which are misleading and untrue and constitute false advertisements. (3770)

E. A. Morgan & Company—A complaint has been issued against E. A. Morgan & Co., 412 Building Industries Building, Cincinnati, and against E. A. Morgan, individually and as the company's president, charging unfair representations in the sale of a powdered preparation represented as being capable of improving the wearing qualities of hosiery and lingerie.

In the sale of their preparation, designated "Run-Safe," "Run-Free," and "Runless," the respondents are alleged to have represented, directly or by inference, that it will prevent runs, snags and breaks and rotting and fading in silk hosiery and lingerie; that it sets or holds the color of such garments; that it renders silk hosiery and lingerie "Rain-Spot Proof," and that it will save users approximately 50 per cent of hosiery and lingerie cost.

The complaint alleges that these representations are false and misleading in violation of the Federal Trade Commission Act. (3771)

Pascal Company, Inc.—Misleading representations in the sale of "Breatheasy," advertised as a treatment for bronchitis and other diseases, are alleged in a complaint issued against Pascal Company, Inc., Seattle, Wash.

Advertising literature circulated by the respondent company is alleged to have contained representations to the effect that "Breatheasy" and the "Breatheasy Treatment" constitute a cure or remedy and a competent and efficient treatment for chronic bronchitis, heart disease, cardiac distress, gastric ulcers, serum rashes, hives and other skin diseases, and inflammation of the nose, throat, tonsils, larynx and lungs, and neuralgia and neuritis.

These representations greatly exceed those which might truthfully be made for the preparation and the treatment, according to the complaint. "Breatheasy" and the treatment are alleged not to be a cure or remedy or effective or competent treatment for the diseases mentioned.

The complaint also alleges that the respondent disseminated false advertisements by failing to reveal therein that use of its preparation under the conditions prescribed or under customary conditions may in some cases be injurious to health. The complaint alleges that because of the presence of epinephrine or synthetic adrenalin, use of the preparation would be definitely harmful to persons suffering from high blood pressure, toxic goiter, diabetes or heart disease. (3768)

S & K Sales, Inc.—See Wells Sales Company.

Wells Sales Company—Use of lottery methods in the distribution and sale of merchandise to ultimate consumers, is charged against Jean Lawrence, trading as Wells Sales Company, 4930 Monticello Ave., Chicago, and S & K Sales, Inc., 104 North Broadway, St. Louis, in complaints.

Wells Sales Company sells and distributes radios, waffle irons, tableware and other merchandise, and also, the complaint charges, furnishes dealers with push cards by means of which customers purchase goods at varying prices.

S & K Sales, Inc., also is alleged to furnish push cards to be used by retail dealers in the sale of tapestries, neckties, fountain pens and other merchandise sold and distributed by the respondent. (3767-3769)

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

Aeme Dividend System—See Century Business Service.

American Merchandise Company, Inc.—An order has been issued prohibiting misleading concealment of the foreign origin of certain products sold by American Merchandise Co., Inc., and Harry Greenberg and Leo Josefsberg, all of 27 West 23rd St., New York.

The respondents were found to have removed the marks showing foreign origin from glove hands imported from Japan and from thumb tacks imported from Germany. To the glove hands the respondents added cuffs made in the United States. The thumb tacks were removed from the packages containing marks showing foreign origin and replaced in new packages containing no such marks, according to findings. (2960)

Canadian Chamois & Leather Company—Misleading uses of the word "chamois" to advertise leather interlinings for coats and similar garments will be discontinued by the Canadian Chamois & Leather Corp., 220 West 19th St., New York, under an order to cease and desist.

In the sale of interlinings the respondent will cease representing, through use of the word "Chamois" in its corporate name or in other ways, that it is a manufacturer of leather products made from chamois, unless the products are in fact made from the skin of the Alpine antelope or chamois, or the oil-dressed inner part of a sheepskin.

The respondent was directed to cease using the words "Chamois," "Cham-O-Line" or other words or phrases simulating the word "Chamois," as descriptive of leather products not made from the skin of the Alpine antelope or chamois, or the oil-dressed inner part of a sheepskin. (3691)

Century Business Service—Earl M. Loban, trading as Century Business Service, Acme Dividend System and Century Publishing Company, Inc., Waterloo, Iowa, has been ordered to cease and desist from the use of lottery schemes or gift enterprises to be used by dealers in promoting sales of their merchandise to ultimate consumers.

The respondent is forbidden to sell or distribute sales promotion cards or other devices so designed that their use by retail dealers constitutes operation of a game of chance, gift enterprise or lottery scheme, or to supply to dealers sales promotion cards or sales booster plans or schemes or to furnish display posters or circulars or other literature informing the public as to the manner in which the lottery devices may be distributed or used. (3731)

Century Publishing Company, Inc.—See Century Business Service.

Joseph Palazzolo, trading as J. Palazzolo, 436 East 14th St., New York, has been ordered to cease representing that a preparation advertised as "Otello Water" and "L'Acqua Otello" is other than a dye; that its use will restore natural color and vitality to hair, cure dandruff, cause new growth of hair, or prevent falling of hair. (3062)

STIPULATIONS

The Commission has entered into the following stipulations:

Brandes & Lipschitz, Inc.—See Cooperative Indian Rivers Growers, Inc.

Branford Press, 4 Branford Place, Newark, N. J., engaged in selling stationery, wedding invitations, engagement announcements, and the like, has entered into a stipulation to cease certain misleading representations.

The respondent agreed to discontinue use in its advertising or printed matter or in any other way of the word "engraved" or any other words of similar meaning as descriptive of its products to imply or convey the belief to purchasers that the products are the result of impressions made from inked engraved plates, generally known to the purchasing public as "engraving" or "embossing," when this is not a fact. (2444)

Cooperative Indian River Growers, Inc., Fort Pierce, Fla., and Brandes and Lipschitz, Inc., 3494 Jerome Ave., Bronx, New York City, have entered into stipulations to discontinue misleading representations in the sale and distribution of citrus fruits.

The Florida corporation, engaged in the packing, sale and distribution of their products, and the New York corporation, operating retail fruit stands in New York City and also importing into New York citrus fruits produced in Florida, agreed to desist from use of the term "Indian River" or other similar representations on brands or labels as descriptive of citrus fruits not produced or grown in the Indian River region of Florida. (2448-2449)

Cuban Cosmetic Company—Trading as Cuban Cosmetic Company, Alexander C. Brent, Jr., Chicago, in the sale of "Four-in-One Cuban Combination Hair Treatment," will desist from use of representations in advertising matter implying that his product, when locally applied to the scalp, will cause hair to grow or stop or correct falling hair or dandruff, or will stop eczema, tetter, ringworm, or any other fungus infection, when there is no proper basis for these representations. (2447)

Francaise Perfumerie et Cie—Trading as Francaise Perfumerie et Cie, Benjamin J. Rosenthal, Baltimore, agrees to discontinue use of the words "Francaise Perfumerie et Cie" as a trade name under which to sell his preparations, or the words "Francaise" or "French" implying that the preparations he sells are of French origin, when this is not true. The respondent also stipulates that he will cease using in advertising matter the words "Imported Perfumes" as descriptive of perfumes not imported as finished products into the United States; the phrase "reproductions of fine imported perfumes" as descriptive of perfumes that were not such reproductions, and the words "Paris" or "London," implying that he has places of business in those cities, when such are not the facts. (2441)

Fresh'nd Aire Company—Misleading representations in the sale of electrically driven fans and air treating apparatus will be discontinued by Robert W. Devore, trading as Fresh'nd Aire Company, 2626 Washington Blvd., Chicago, under a stipulation. Advertising matter referred to the "Fresh'nd Aire" fan as "The Simple Way to Air Conditioning," and represented that it "Cools—Revitalizes—Circulates."

The respondent agreed to cease use of the term "air conditioning" or words of similar import as descriptive of his product known as the "Fresh'nd Aire" fan.

In the stipulation it is recited that operation of the respondent's fan assemblies will not produce certain results so as to be properly represented as producing "air conditioning," as that term is generally understood. They will not humidify or dehumidify room air, mechanically cool or heat such air to specified temperatures, mechanically deliver and circulate fresh air, or remove or filter dirt from the air. (2450)

Field's Diamond Company—Misleading representations in the sale of jewelry will be discontinued by Myer D. Field, trading as Field's Diamond Company, 510 South Hill St., Los Angeles, under a stipulation entered.

Field agreed to stop using the word "Diamond" alone or with other words to describe imitation diamonds, unless the term is modified by the word "imitation" or a true synonym of imitation printed conspicuously in connection with the word "Diamond." He further agreed to stop using the word "Diamond" as part of his trade name until such time as he actually deals in genuine diamonds.

Field stipulated that he will cease representing, by use of foreign names or otherwise, that any product sold by him originated in or was imported from a foreign country, when this is not a fact. (02371)

Fred E. Foos Candy Company, Inc.—Use of lottery methods in the sale of candy assortments to the ultimate consumer will be discontinued by Fred E. Foos Candy Company, Inc., 1505 West Baltimore St., Baltimore, under a stipulation.

The respondent company agrees to cease selling and distributing directly to retail dealers or to jobbers or wholesale dealers for resale to the retail trade, candy assortments so packed and assembled that sales to the consuming public may be made by means of a lottery. (2451)

General Foods Corporation, 250 Park Ave., New York, has entered into a stipulation to discontinue misleading representations in the sale of a table salt.

Under the stipulation, Diamond Crystal Salt will no longer be represented as the only salt that brings out flavors in food, and the respondent will cease advertising that all other salts have a bitter taste or that the use of its product eliminates the danger of over-salting, or insures best results.

The respondent agrees to stop representing that Diamond Crystal Salt will in all cases prevent clogging or caking in saltcellars, and that it assures the production of better butter or the production of butter with less work, or, that when used to preserve meat it insures that every particle will be permeated and preserved firm with good color and no spoilage. (023070)

Gordshell Chemical Co., 5 Hopkins Place, Baltimore, selling a medicinal preparation designated Dr. Gordshell's Salve, has entered into a stipulation to discontinue misleading representations in the advertisement and sale of its product.

The respondent will cease representing that its salve is a competent or complete remedy for burns, cuts, skin irritations, piles, ivy or oak poisoning, insect bites, chilblains, acne or eruptions of the skin, or that the salve is of any substantial value in the treatment of the bite of a black widow spider, athlete's foot, pimples, blackheads, carbuncles, soft corns, ringworm or abscess; that it will remove splinters or of itself heal the skin or prevent scars following carbuncles, burns or any other condition. (02365)

Grund Art & Novelty Co., Inc., 421 East Walnut St., Des Moines, Iowa, have entered into a stipulation to discontinue misleading representations in the sale of novelties and push cards in commerce.

Under the stipulation, the respondent will cease representing that any article is given "Free" or without cost, when receipt thereof is contingent upon any consideration, terms or payments or the rendering of services not clearly disclosed in direct connection with the making of the offer.

Use of the term "Genuine Pig Grained" as descriptive of products not composed of pig skin will be discontinued, and the respondent will cease quoting a fictitious price as the alleged value of an article when it is in excess of the customary price. (2454)

Health & Strength Club—A San Francisco dealer in food concentrates has entered into a stipulation to discontinue misleading representations in the sale of his products.

The respondent, Walter C. LaBerge, trading as Health and Strength Club, 277 Seventh Ave., San Francisco, agrees to cease representing or implying that mineral salts and vitamins are usually lacking in a majority of diets, or that his "Body Building Food" will supply the deficiency; that his "Laxative Food" is competent as a treatment for constipation; that his "Glandular Food" increases vigor, and that "Formula 116" is a competent treatment for eczema and contains "Vitamin F." (02364)

Jackman & Company, Inc.—Electrocution of mosquitoes and other insects is the advertised function of "The Death Ray Lantern," manufactured by Jackman & Co., Inc., 420 Twelfth St., Brooklyn, which has entered into a stipulation to discontinue misleading representations in the sale of this product.

Among the claims made for the device were: "The Death Ray Lantern is fitted with a shade . . . attracting mosquitoes, gnats and many other insects which fly to it and are electrocuted. It has been definitely tested and proven in this country and abroad."

The respondent company agreed to cease making direct or implied representations that the light furnished by the lantern will attract mosquitoes and other flying insects in sufficient numbers to make the device valuable in controlling them, and that such insects, attracted by the light, will all be electrocuted upon contact with the electrically charged wires surrounding the lantern. (2452)

Perkins Glue Company, Lansdale, Pa., has entered into a stipulation to discontinue use in its advertising matter or otherwise of the word "Waterproof" as descriptive of its casein glue, or use of this word in any way to imply that its products are impervious to water or its effects, when such is not a fact. (2453)

Potter Drug and Chemical Corporation, Malden, Mass., under a supplemental stipulation entered will discontinue false and misleading advertising of "Cuticura Soap" and "Cuticura Ointment."

The company agreed to stop representing that the soap and ointment, when used separately or in conjunction, will help promote lustrous hair growth quickly; and aid in normalizing oily skin, correcting dry skin, refining skin texture, and in imparting new firmness to the skin. The respondent also will cease representing that use of these products will remove or aid in clearing blemishes, unless this representation is limited to blemishes from external causes. (0892)

Star Correspondence Club—Operating a matrimonial bureau called Star Correspondence Club at Palestine, Tex., Lois L. Reeder, under a stipulation entered into will discontinue advertisements of the financial standing, character and social position of her clients that are not based on the known facts in each case.

She agreed also to cease representing that her enterprise is not a general advertising concern or a matrimonial agency; that it is different from other agencies of its class and that she is not in the business for money only but to help single, lonesome people.

In her stipulation, the respondent admitted that membership in the Star Correspondence Club could not always be relied upon to achieve the results claimed; that her enterprise is an advertising and a matrimonial agency not essentially different from other such agencies, and that she engages in the work for a profit.

Under the stipulation, the respondent also agreed to cease advertising that her enterprise is of service generally to persons who are lonesome or want wives, husbands or sweethearts. (02366)